



03-18.05

2644
DOCKET NO.: CS90041

JFW

TRANSMITTAL
FORM

| | | | |
|--|----------------------|------------------------|---------|
| Application Number | 09/972,381 | | |
| | Filing Date | 10/05/01 | |
| | First Named Inventor | Fahey, Jenifer et al. | |
| | Group Art Unit | 2644 | |
| | Examiner Name | | |
| Total Number of Pages in this Submission | 4 | Attorney Docket Number | CS90041 |

ENCLOSURES

(check all that apply)

| | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input checked="" type="checkbox"/> PTO/SB/08A <input type="checkbox"/> PCT Search Report |
| Remarks | | |

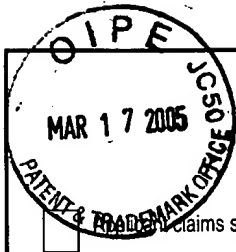
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------------|---------------------|------------------|--------|
| Firm or Individual | Roland K. Bowler-II | Registration No. | 33,477 |
| Signature | | | |
| Date | | | |

CERTIFICATE OF TRANSMITTAL/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number _____ or deposited with the United States Postal Service with sufficient postage as Express Mail No. EV418001501US in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:

| | | | |
|-----------------------|------------------|------|---------|
| Typed or printed name | Jennifer Magness | | |
| Signature | | Date | 3/17/05 |



FEE TRANSMITTAL

Patent fees are subject to annual revision

Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**0.00**

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | 09/972,381 |
| Filing Date | 10/05/01 |
| First Named Inventor | Fahey, Jenifer et al. |
| Examiner Name | |
| Group Art Unit | 2644 |
| Attorney Docket No. | CS90041 |

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit card
 ☐ Money Order
 ☐ Other
 ☐ None

FEE CALCULATION (continued)

☒ Deposit Account:

Deposit Account Number: **502117**
 Deposit Account Name: **Motorola, Inc.**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☒ Credit any overpayments
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
☐ Charge fees(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

4. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | |
|--------------|----------|--------------|----------|--|--|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late Provisional filing | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2520 | 1812 | 2520 | For filing a request for ex parte Reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1840* | 1805 | 1840* | Requesting publication of SIR after Examiner action | |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month | |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month | |
| 1253 | 1020 | 2253 | 510 | Extension for reply within third month | |
| 1254 | 1590 | 2254 | 795 | Extension for reply within fourth month | |
| 1255 | 2160 | 2255 | 1080 | Extension for reply within fifth month | |
| 1401 | 500 | 2401 | 250 | Notice of Appeal | |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | |
| 1403 | 1000 | 2403 | 500 | Request for oral hearing | |
| 1451 | 1510 | 1451 | 1510 | Petition to institute a public use proceeding | |
| 1452 | 500 | 2452 | 250 | Petition to revive - unavoidable | |
| 1453 | 1500 | 2453 | 750 | Petition to revive - unintentional | |
| 1501 | 1400 | 2501 | 700 | Utility issue fee (or reissue) | |
| 1502 | 800 | 2502 | 400 | Design issue fee | |
| 1503 | 1100 | 2503 | 550 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(g) | |
| 1806 | 180 | 1806 | 180 | Submission of IDS | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fee Paid (\$) |
|------------------|----------------|-----------------------|----------------|-----------------------|------------------|-----------------------|---------------|
| | Large Fee (\$) | Small Entity Fee (\$) | Large Fee (\$) | Small Entity Fee (\$) | Large Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXTRA CLAIM FEES

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent
 Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent
 Multiple Dependent Claims

| Fees (\$) | Small Entity Fee (\$) |
|-----------|-----------------------|
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |

Total Claims: Extra Claims: Fee (\$): Fee Paid (\$):
 - 20 or HP = x 50 = Multiple Dependent Claims: Fee (\$): Fee Paid (\$):
 HP = highest number of total claims paid for, if greater than 3

Indep. Claims: Extra Claims: Fee (\$): Fee Paid (\$):
 - 3 or HP = x 200 =

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee is \$250 (\$125 for small entity)
 For each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets: Extra Sheets: Number of each additional 50 or fraction thereof: Fee (\$): Fee Paid (\$):
 - 100 = /50 = (round up to a whole number) x 250 =

5. OTHER FEE(S) (specify)

Non-English Specification, \$130 fee (no small entity discount)

Fee Paid (\$)

SUBMITTED BY

Name (Print/Type) **Roland K. Bowler**

Signature

Registration No. **33,477** Telephone **847-523-3978**

Date

3-17-05



DOCKET NO.: CS90041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fahey, Jenifer et al. Group Art Unit: 2644
Application No.: 09/972,381 Examiner:
Date Filed: 10/05/01
Title: Mobile Wireless Communication Handset with Sound Mixer and Methods Therefor

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner For Patents
Alexandria, VA 22313

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are for consideration by the United States Patent and Trademark Office. Pursuant to the Office waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003, copies of the reference are not submitted herewith.

I. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b)-(d): (check only one box)

- a. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing date of a first Office Action on the merits; and/or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. No fee or statement is required.
- b. ☐ before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. Petition fee set forth in §1.17(p) is required unless a statement under 37 C.F.R. §1.97(e) is provided.
- c. ☐ on or before payment of the issue fee. Petition fee set forth in §1.17(p) and a statement under 37 C.F.R. §1.97(e) are required.

II. ☒ STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)

The undersigned hereby states that

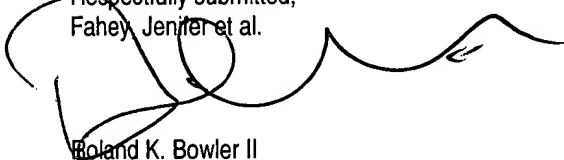
- a. ☒ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
- c. ☐ some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

III. PAYMENT OF FEES

- ☐ A check in the amount of _____ is enclosed for the above-identified fee(s).
☐ Please charge Deposit Account **502117** in the amount of \$_____ for the above-indicated fee(s).
☒ If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account **502117**.
☒ Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

Respectfully submitted,
Fahey, Jenifer et al.



Roland K. Bowler II
Attorney for Applicant(s)
Reg. No. 33,477
Tel. 847-523-3978

MOTOROLA, INC.
Customer Number 20280

Enclosures: ☒ Information Disclosure
Statement by Applicant
☒ References
☐ Foreign Search Report
☐ Other:

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.